

AMENDED IN ASSEMBLY APRIL 4, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1145

Introduced by Assembly Member Huff

February 22, 2005

An act to amend Section ~~4850~~ 4851 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1145, as amended, Huff. Developmental disability: habilitation services.

Existing law establishes the Habilitation Services Program under the administration of the State Department of Developmental Services. Existing law establishes the hourly rate for supported employment services provided to clients receiving individualized services and group services under the program. Existing law defines "group services" for purposes of this program as job coaching in a group supported employment placement at a job coach-to-consumer ratio of not less than 1:4 nor more than 1:8 when a minimum of 4 consumers are funded by the regional center or the department.

This bill would instead define "group services" as job coaching in a group supported employment placement at a job coach-to-consumer ratio of not less than 1:3 nor more than 1:8 when a minimum of 3 consumers are funded by the regional center or the department.

~~Existing law establishes programs relating to persons with developmental disabilities. Existing law declares that it is the intent of the Legislature that habilitation services be provided to adults with developmental disabilities.~~

~~This bill would make technical, nonsubstantive changes to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 4850 of the Welfare and Institutions~~
2 ~~Code is amended to read:~~
3 *SECTION 1. Section 4851 of the Welfare and Institutions*
4 *Code is amended to read:*
5 4851. The definitions contained in this chapter shall govern
6 the construction of this chapter, with respect to habilitation
7 services provided through the regional center, and unless the
8 context requires otherwise, the following terms shall have the
9 following meanings:
10 (a) “Habilitation services” means community-based services
11 purchased or provided for adults with developmental disabilities,
12 including services provided under the Work Activity Program
13 and the Supported Employment Program, to prepare and
14 maintain them at their highest level of vocational functioning, or
15 to prepare them for referral to vocational rehabilitation services.
16 (b) “Individual program plan” means the overall plan
17 developed by a regional center pursuant to Section 4646.
18 (c) “Individual habilitation service plan” means the service
19 plan developed by the habilitation service vendor to meet
20 employment goals in the individual program plan.
21 (d) “Department” means the State Department of
22 Developmental Services.
23 (e) “Work activity program” includes, but is not limited to,
24 sheltered workshops or work activity centers, or
25 community-based work activity programs certified pursuant to
26 subdivision (f) or accredited by CARF, the Rehabilitation
27 Accreditation Commission.
28 (f) “Certification” means certification procedures developed
29 by the Department of Rehabilitation.
30 (g) “Work activity program day” means the period of time
31 during which a Work Activity Program provides services to
32 consumers.
33 (h) “Full day of service” means, for purposes of billing, a day
34 in which the consumer attends a minimum of the declared and

1 approved work activity program day, less 30 minutes, excluding
2 the lunch period.

3 (i) "Half day of service" means, for purposes of billing, any
4 day in which the consumer's attendance does not meet the
5 criteria for billing for a full day of service as defined in
6 subdivision (g), and the consumer attends the work activity
7 program not less than two hours, excluding the lunch period.

8 (j) "Supported employment program" means a program that
9 meets the requirements of subdivisions (n) to (s), inclusive.

10 (k) "Consumer" means any adult who receives services
11 purchased under this chapter.

12 (l) "Accreditation" means a determination of compliance with
13 the set of standards appropriate to the delivery of services by a
14 work activity program or supported employment program,
15 developed by CARF, the Rehabilitation Accreditation
16 Commission, and applied by the commission or the department.

17 (m) "CARF" means CARF the Rehabilitation Accreditation
18 Commission.

19 (n) "Supported employment" means paid work that is
20 integrated in the community for individuals with developmental
21 disabilities.

22 (o) "Integrated work" means the engagement of an employee
23 with a disability in work in a setting typically found in the
24 community in which individuals interact with individuals without
25 disabilities other than those who are providing services to those
26 individuals, to the same extent that individuals without
27 disabilities in comparable positions interact with other persons.

28 (p) "Supported employment placement" means the
29 employment of an individual with a developmental disability by
30 an employer in the community, directly or through contract with
31 a supported employment program. This includes provision of
32 ongoing support services necessary for the individual to retain
33 employment.

34 (q) "Allowable supported employment services" means the
35 services approved in the individual program plan and specified in
36 the individual habilitation service plan for the purpose of
37 achieving supported employment as an outcome, and may
38 include any of the following:

39 (1) Job development, to the extent authorized by the regional
40 center.

1 (2) Program staff time for conducting job analysis of
2 supported employment opportunities for a specific consumer.

3 (3) Program staff time for the direct supervision or training of
4 a consumer or consumers while they engage in integrated work
5 unless other arrangements for consumer supervision, including,
6 but not limited to, employer supervision reimbursed by the
7 supported employment program, are approved by the regional
8 center.

9 (4) Community-based training in adaptive functional and
10 social skills necessary to ensure job adjustment and retention.

11 (5) Counseling with a consumer's significant other to ensure
12 support of a consumer in job adjustment.

13 (6) Advocacy or intervention on behalf of a consumer to
14 resolve problems affecting the consumer's work adjustment or
15 retention.

16 (7) Ongoing support services needed to ensure the consumer's
17 retention of the job.

18 (r) "Group services" means job coaching in a group supported
19 employment placement at a job coach-to-consumer ratio of not
20 less than ~~one-to-four~~ *one-to-three* nor more than one-to-eight
21 where services to a minimum of ~~four~~ *three* consumers are funded
22 by the regional center or the ~~Department of Rehabilitation~~
23 *department*. For consumers receiving group services, ongoing
24 support services shall be limited to job coaching and shall be
25 provided at the worksite.

26 (s) "Individualized services" means job coaching and other
27 supported employment services for regional center-funded
28 consumers in a supported employment placement at a job
29 coach-to-consumer ratio of one-to-one, and that decrease over
30 time until stabilization is achieved. Individualized services may
31 be provided on or off the jobsite.

32 ~~4850. (a) The Legislature reaffirms its intent that habilitation~~
33 ~~services for adults with developmental disabilities should be~~
34 ~~planned and provided as a part of a continuum and that~~
35 ~~habilitation services should be available to enable persons with~~
36 ~~developmental disabilities to approximate the pattern of everyday~~
37 ~~living available to nondisabled people of the same age.~~

38 ~~(b) The Legislature further intends that habilitation services~~
39 ~~shall be provided to adults with developmental disabilities, as~~

- 1 ~~specified in this chapter, in order to guarantee the rights stated in~~
- 2 ~~Section 4502.~~

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